

Introduced by Senator Calderon

February 22, 2012

An act to amend Section 10113 of the Insurance Code, relating to insurance.

LEGISLATIVE COUNSEL'S DIGEST

SB 1212, as introduced, Calderon. Insurance.

Under existing law, every policy of life, disability, or life and disability insurance issued or delivered within this state by any insurer doing such business within this state is required to contain and is deemed to constitute the entire contract between the parties and, except as specified, nothing shall be incorporated by reference, as specified.

This bill would make a technical, nonsubstantive change to that section.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 10113 of the Insurance Code is amended
2 to read:
3 10113. Every policy of life, disability, or life and disability
4 insurance issued or delivered within this State on or after the first
5 day of January, 1936, by any insurer doing such business within
6 this State shall contain and *shall* be deemed to constitute the entire
7 contract between the parties and nothing shall be incorporated
8 therein by reference to any constitution, by-laws, rules, application
9 or other writings, of either of the parties thereto or of any other
10 person, unless the same are indorsed upon or attached to the policy;

- 1 and all statements purporting to be made by the insured shall, in
- 2 the absence of fraud, be representations and not warranties. Any
- 3 waiver of the provisions of this section shall be void.

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